



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,341	12/21/2001	Jon W. Hamilton	021971.0165	2865

7590 10/27/2005  
Matthew B. Talpis, Esq.  
Baker Botts L.L.P.  
Suite 600  
2001 Ross Avenue  
Dallas, TX 75201-2980

EXAMINER

DERWICH, KRISTIN M

ART UNIT	PAPER NUMBER
----------	--------------

2132

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

h

## Office Action Summary

Application No.

10/028,341

Applicant(s)

HAMILTON, JON W.

Examiner

Kristin Derwich

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/22/02</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-22 are pending.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Hereafter patent literature that is referenced as prior art will be cited by column and line number in the form of (column number:line number range). For example, the citation (6:23-27) refers to lines 23-27 of the 6<sup>th</sup> column in the reference.

2. Claims 1, 2, 7-13 rejected under 35 U.S.C. 102(b) as being anticipated by Friedman, U.S. Patent No. 5,499,294.

As per claims 1 and 12:

Friedman discloses a method for authenticating a digital image comprising:  
receiving a first digital image at an authentication center, the first digital image having an associated serial number and being encrypted (5:56-65);

storing the first digital image at the authentication center in response the associated serial number (5:56-65);

receiving a second digital image at the authentication center, the second digital image being associated with the serial number (5:54-56);

Art Unit: 2132

decrypting the first digital image to generate a third digital image (6:31-52);  
comparing the second digital image the third digital image (6:31-52); and  
reporting the result of the comparison (6:31-52).

As per claims 2 and 13:

Friedman discloses a method further comprising associating a camera key with each serial number and wherein decrypting the first digital image comprises decrypting the first digital image in response to the camera key associated with the serial number (5:56-59).

As per claims 7 and 18:

Friedman discloses a method wherein each bit of the image is compared to each bit of the third image (6:46-52).

As per claims 8, 10, 19 and 21:

Friedman discloses a method having a plurality of serial numbers (6:14-18 wherein the serial numbers act as activator and entity identifiers), each associated with a unique key (5:56-65). The identifiers and keys are communicated to the activator, which in this case is the image (6:10-19).

As per claims 9, 11, 20 and 22:

Friedman discloses a method wherein communicating the selected of the activator identifiers and associated key is performed securely (7:5-17).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 4, 14 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman (U.S. 5,499,294) as applied to claims 1 and 12 above, and further in view of Glass et al. (Glass), U.S. Patent No. 6,332,193.

As per claims 3 and 14:

Friedman fails to teach generating the camera key and serial number at the authentication center and then associating the key with the serial number. However, Glass discloses a method wherein the camera key (6:10-32) and serial number (7:45-49) are generated and then associated together (10:39-50).

As per claims 4 and 15:

Friedman fails to teach encrypting the camera key in response to a first key at the authentication center. However, Glass discloses a method wherein the key is encrypted (6:25-30).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to apply the identification verification features of Glass to Friedman because this would enhance the overall security of the image authentication since Glass utilizes a certification authority (4:1-18).

Art Unit: 2132

4. Claims 5 - 6 and 16-17 rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman (U.S. 5,499,294) as applied to claims 1 and 12 above, and further in view of Walker et al. (Walker), U.S. Patent No. 5,923,763.

As per claims 5 and 16:

Friedman fails to teach the first key being encrypted and fails to teach it being re-encrypted on a periodic basis. However, Walker discloses a method wherein enhanced public key cryptography is utilized wherein the key is encrypted utilizing a digital signature (6:37-51).

As per claims 6 and 17:

Friedman fails to teach re-encrypting the first key at predetermined time intervals. However, Walker discloses a timestamp with the digital signature, therefore, when it expires the key will be re-encrypted (6:37-51).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to apply the invention of Walker to the invention of Friedman because adding a timestamp verification mechanism would enhance the authenticity of the image (2:45-50).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin Derwich whose telephone number is 571-272-7958. The examiner can normally be reached on Monday - Friday, 8:00-5:30.

Art Unit: 2132

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*KMD*

KMD

Kristin Derwich  
Examiner  
Art Unit 2132

*Gilberto Barron Jr.*  
GILBERTO BARRON JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100